

**CITY OF COPPERAS COVE
CITY COUNCIL REGULAR MEETING MINUTES
FEBRUARY 21, 2006 – 7:00 P.M.**

A. CALL TO ORDER

Mayor, Bradi D. Diaz called the regular meeting of the City Council of the City of Copperas Cove Texas to order at 7:00 p.m.

B. INVOCATION AND PLEDGE OF ALLEGIANCE

Council Member Gallen gave the Invocation, and led the Pledge of Allegiance.

C. ROLL CALL

ALSO PRESENT

Bob Reeves
Ray Don Clayton
John Gallen
James Stockman
R. Ray Gatewood
Fred Harris
Frank D. Somera, Jr.

Steven J. Alexander, City Manager
James R. Thompson, City Attorney
Lisa Wilson, Deputy City Secretary

D. ANNOUNCEMENTS

Mayor Pro Tem, R. Ray Gatewood – Invited the public to the Education Summit on February 24th & 25th 2006, sponsored by the Omega Psi Phi Fraternity. He stated that there will be a golf tournament, college fair, a Black History Month challenge and costume ball.

Mayor Diaz – Extended her condolences to Pamela Russell, City Secretary for the loss of her father and also to her two children, Nicola and Gavin, for the loss of their grandfather.

E. PUBLIC RECOGNITION

1. Proclamation – “Severe Weather Awareness Week”. **Bradi D. Diaz, Mayor**

Mayor Diaz read the proclamation for Severe Weather Awareness Week and presented it to FireChief Haas. Chief Haas said he appreciated the proclamation and stated that if any citizens are interested in how to prepare and protect themselves during severe weather, to contact the Fire Department.

2. Proclamation – “Omega Psi Phi Days”. **Bradi D. Diaz, Mayor**

Mayor Diaz read the proclamation for Omega Psi Phi Days and presented it to Melvin Brown and Lawrence White. Mr. White thanked the Mayor and City Council for the recognition. Mr. Brown invited the public to the Education Summit at the Howard Johnson Hotel in Killeen, and stated valuable information

will be available to all area high school students who wish to apply for scholarships.

3. Presentation of TML Property Fund Return of Equity Check to the City of Copperas Cove. **Mary Gauer, Board Member of TML Risk Pool Region 9**

Mary Gauer, Board Member of TML Risk Pool and Linda Dunlap, TML representative stated it was an honor and privilege to present the check in the amount of \$14,502.00 to the City of Copperas Cove for their longevity and low loss record. This amount represented 18% of the 2004 property contributions made by City employees.

F. CITIZENS' FORUM citizens are allowed to speak on any matter other than personnel matters, matters under litigation, or matters on the regular agenda, for a length of time not to exceed five minutes per person. Thirty minutes total has been allotted for this section.

Council Member Fred Harris – 508 Bowen Ave, CC. Stated he would like to raise money for the Fallen Heros Fund. He would like Copperas Cove's citizens to raise \$10,000.00 to contribute to the fund. All monies would be deposited into the America's Promise account. Mr. Harris gave the website of www.fallenherosfund.com for additional information.

G. CONSENT ITEMS

1. Consideration and action on Resolution No. 2006-06 authorizing the City Manager to execute documents in support of an application to the Texas Emergency Shelter Grants Programs by the Refuge Corporation, to provide emergency services within the City of Copperas Cove. **Jeri Denniston, Grants Administrator/Budget Analyst**

The Resolution caption reads as follows:

RESOLUTION NO. 2006-06

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COPPERAS COVE, TEXAS, AUTHORIZING THE CITY MANAGER TO EXECUTE DOCUMENTS IN SUPPORT OF AN APPLICATION TO THE TEXAS EMERGENCY SHELTER GRANTS PROGRAMS BY THE REFUGE CORPORATION, TO PROVIDE EMERGENCY SERVICES WITHIN THE CITY OF COPPERAS COVE.

2. Consideration and action on authorizing street closures during calendar year 2006 for the Copperas Cove Downtown Association, Olan Forest Smith, VFW Post No. 8577 and Ladies Auxiliary and Police Department's National Night Out "Kick Off Party 2006". **Tim Molnes, Police Chief**

Council Member Gallen made a motion to approve consent items G-1 and G-2. Council Member Reeves seconded the motion, and with a unanimous vote, motion carried.

H. PUBLIC HEARINGS/ACTION - None

I. ACTION ITEMS

1. Consideration and action on Resolution No. 2006-09 accepting the quarterly investment report as presented for the quarter ending December 2005 per the Investment Policy. **Andrea Gardner, Assistant City Manager/Director of Finance**

Andrea Gardner, Assistant City Manager/Director of Finance gave an overview of agenda item I-1.

Council Member Gallen made a motion to approve agenda item I-1. Council Member Clayton seconded the motion, and with a unanimous vote, motion carried.

The Resolution caption reads as follows:

RESOLUTION NO. 2006-09

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COPPERAS COVE, TEXAS, ACCEPTING THE QUARTERLY INVESTMENT REPORT AS PRESENTED FOR THE QUARTER ENDED DECEMBER 31, 2005.

2. Consideration and action on approving Ordinance No. 2006-05 providing for the issuance and sale of City of Copperas Cove, Texas, General Obligation Refunding Bonds, Series 2006, in the aggregate principal amount of \$4,980,000; levying a tax in payment thereof; authorizing the execution and delivery of a purchase agreement, a paying agent/registrar agreement and an escrow agreement; calling certain bonds for redemption; and enacting other provisions relating thereto. **Andrea Gardner, Assistant City Manager/Director of Finance**

Andrea Gardner, Assistant City Manager/Director of Finance gave an overview of agenda item I-2. She introduced Garry Kimball from First Southwest Company to further explain the bonds and reporting of the City's savings.

Council Member Gatewood made a motion to approve agenda item I-2. Council Member Gallen seconded the motion, and with a unanimous vote, motion carried.

The Ordinance caption reads as follows:

ORDINANCE NO. 2006-05

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COPPERAS COVE, TEXAS PROVIDING FOR THE ISSUANCE AND SALE OF CITY OF COPPERAS COVE, TEXAS, GENERAL OBLIGATION REFUNDING BONDS, SERIES 2006, IN THE AGGREGATE PRINCIPAL AMOUNT OF \$4,980,000; LEVYING A TAX IN PAYMENT THEREOF; AUTHORIZING THE EXECUTION AND DELIVERY OF A PURCHASE AGREEMENT, A PAYING AGENT/REGISTRAR AGREEMENT AND AN

ESCROW AGREEMENT; CALLING CERTAIN BONDS FOR REDEMPTION; AND ENACTING OTHER PROVISIONS RELATING THERETO.

3. Consideration and action on approving Resolution No. 2006-08 authorizing the City Manager to enter into a tax-exempt capital lease agreement with SunTrust Leasing Corporation of Towson, MD for the purchase of various equipment in the amount of \$551,221.90 at an interest rate of 3.86 percent for a period of four years. **Andrea Gardner, Assistant City Manager/Director of Finance**

Andrea Gardner, Assistant City Manager/Director of Finance gave an overview of agenda item I-3.

Council Member Gatewood made a motion to approve agenda item I-3. Council Member Reeves seconded the motion, and with a unanimous vote, motion carried.

The Resolution caption reads as follows:

RESOLUTION NO. 2006-08

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COPPERAS COVE, TEXAS, AUTHORIZING THE CITY MANAGER TO ENTER INTO A TAX-EXEMPT CAPITAL LEASE AGREEMENT WITH SUNTRUST LEASING CORPORATION OF TOWSON, MD FOR THE PURCHASE OF VARIOUS EQUIPMENT IN THE AMOUNT OF \$551,221.90 AT AN INTEREST RATE OF 3.86 PERCENT FOR A PERIOD OF FOUR YEARS.

4. Consideration and action on removing Ordinance No. 2006-04 amending the City's "Fee Schedule", from the table. **Steven J. Alexander, City Manager**

Steven J. Alexander, City Manager gave an overview of agenda item I-4.

Council Member Gallen made a motion to approve agenda item I-4. Council Member Somera seconded the motion, and with a unanimous vote, motion carried.

5. Consideration and action on Ordinance No. 2006-04 amending the City's "Fee Schedule". **Andrea Gardner, Assistant City Manager/Director of Finance**

Andrea Gardner, Assistant City Manager/Director of Finance gave an overview of agenda item I-5.

Council Member Clayton made a motion to approve agenda item I-5. Council Member Gatewood amended the motion, stating to keep the reconnect fee as is and changing the after hours service fee to \$35.00 from \$50.00. Council Member Somera seconded the amended motion.

Mayor Diaz asked for a roll call vote on the amended motion:

Council Members voting for the amended motion: Stockman, Gatewood and Somera.

Council Members voting against the amended motion: Reeves, Clayton, Gallen and Harris.

By a vote of 4 against the motion and a vote of 3 in favor of the motion, motion failed.

Mayor Diaz called for a roll call vote on the original motion.

Council Member Clayton made a motion to approve agenda item I-5 as read. Council Member Harris seconded the motion.

Council Members voting for the motion: Reeves, Clayton, Gallen, Stockman and Harris.

Council Members voting against the motion: Gatewood and Somera.

By a vote of 5 for the motion and 2 against the motion, motion passed.

The Ordinance caption reads as follows:

ORDINANCE NO. 2006-04

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COPPERAS COVE, TEXAS, AMENDING THE CITY'S "FEE SCHEDULE".

6. Consideration and action on authorizing the City Manager to execute an Agreement to Contribute Funds to TxDOT for the acquisition of right-of-way and adjustment of utilities for the FM 2657 widening project and to transmit \$33,447.00 to TxDOT. **Bruce Emery, Interim City Engineer**

Bruce Emery, Interim City Engineer gave an overview of agenda item I-6.

Council Member Clayton made a motion to approve agenda item I-6. Council Member Gallen seconded the motion, and with a unanimous vote, motion carried.

7. Consideration and action on authorizing the City Manager to execute an Agreement to Contribute Funds to TxDOT for the acquisition of right-of-way for the US Hwy 190 Reliever Route project and to transmit \$2,500.00 to TxDOT. **Bruce Emery, Interim City Engineer**

Bruce Emery, Interim City Engineer gave an overview of agenda item I-7.

Council Member Clayton made a motion to approve agenda item I-7. Council Member Somera seconded the motion, and with a unanimous vote, motion carried.

8. Consideration and action on approval of a Water Purchase Contract with Central Texas College. **Steven J. Alexander, City Manager**

Steven J. Alexander, City Manager gave an overview of agenda item I-8.

Council Member Clayton made a motion to approve agenda item I-8. Council Member Reeves seconded the motion, and with a unanimous vote, motion carried.

J. STAFF REPORTS

<p>1. Annual Reports for the Police and Animal Control Departments. <i>Tim Molnes, Police Chief</i></p>
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Tim Molnes, Police Chief presented the City Council with copies of the Annual Reports for the Police and Animal Control Departments. He stated that it was the twenty-first year that the Police Department's report has been compiled and the third year for the Animal Control Department. Chief Molnes stated that in 2005 the City of Copperas Cove saw a 1% decrease in Part I Crimes, with 22% of those crimes reported our department cleared. For Part II Crimes, the City of Copperas Cove saw an increase of 6%, with 74% of those crimes cleared. Overall, the City of Copperas Cove had an increase of 5% in total crimes for the year 2005. Furthermore, in the year 2005, the Copperas Cove Police Department had no racial profiling complaints filed.

Chief Molnes also stated that for the Animal Control Department, the year 2005 saw a 13% decrease in the number of citations issued from year 2004. 65 Bite Reports were taken in 2005 as compared to only 50 Bite Reports taken in 2004, but the Animal Control Department cannot estimate how many attacks and bites were actually prevented by enforcement efforts.

In his closing remarks, Chief Molnes stated that there are only two regular police officer positions and two over hire police officer positions opened and that staff has worked very diligently during the officer shortage. He stated that if any council member had any questions concerning the reports, to please contact him directly.

K. REPORTS OF ADVISORY COMMITTEES AND BOARDS - None

L. ITEMS FOR FUTURE AGENDAS - None

M. EXECUTIVE SESSION - None

N. RECONVENE INTO OPEN SESSION FOR POSSIBLE ACTION RESULTING FROM ANY ITEMS POSTED AND LEGALLY DISCUSSED IN EXECUTIVE SESSION

O. ADJOURNMENT

There being no further business, Mayor Diaz stated the meeting adjourned at 8:06 p.m.

Bradi D. Diaz, Mayor

ATTEST:

Lisa Wilson, Deputy City Secretary